

CHATHAM BOROUGH ZONING BOARD OF ADJUSTMENT

April 28, 2021

7:30 p.m.

Chairman Michael A. Cifelli called this Regular Meeting of the Zoning Board of Adjustment to order at 7:30 p.m. This was a virtual meeting. Board members, Attorney Dwyer, witnesses, and members of the public were present by way of Zoom. Mr. Cifelli stated that adequate notices for the Board of Adjustment meeting were given as required by the Open Public Meetings Act.

Names	Present	Absent
Michael A. Cifelli, Chrmn.	X	
Frederick Infante	X	
Douglas Herbert	X	
H.H. Montague	X	
Jean-Eudes Haeringer	X	
Patrick Tobia	X	
Joseph Treloar	X – arrived 7:40 p.m.	
David DeGidio		X
Peter Hoffman	X	
Patrick Dwyer, Esq.	X	

Public Comment

There was none.

Resolution # ZB 2021-01

The minutes of March 11, 2021 Zoning Bd. of Adjustment meeting were approved as submitted.

Resolutions

Application # ZB 20-018

Verizon Wireless

Brooklake Road

Block 30 Lot 1

Preliminary and Final Site Plan

Conditional Use

Attorney Dwyer summarized this application which proposed transferring an antenna from an existing PSE & G tower to a new PSE & G mono-pole. This new installation will be properly screened. After listening to the testimony, the Board granted the variances. A roll call vote was taken to approve the resolution confirming the Board's approval of Application # ZB 20-018:

Mr. Herbert	-	yes
Mr. Infante	-	yes
Mr. Haeringer	-	yes
Chrmn. Cifelli	-	yes
Mr. Tobia	-	yes
Mr. Hoffman	-	yes

Application #ZB 21-001

Hindelong

57 Elmwood Avenue

Block 64 Lot 14

Attorney Dwyer summarized this application which proposed constructing a sport court in the rear of a single family home. The Board was satisfied with the testimony for the lot coverage variance, and approved the application. A roll call vote was taken to approve the resolution confirming the Board's approval of Application #ZB 21-001. A roll call was taken to approve the resolution confirming the Board's approval of Application # ZB 21-001:

Mr. Infante	-	yes
Mr. Montague	-	yes
Mr. Haeringer	-	yes
Mr. Hoffman	-	yes

New Applications

Application # ZB 21-002

James & Mary Elizabeth Clark

33-35 Hillside Avenue

Block: 123 Lot: 6

Maximum Principal Building Coverage

The following were sworn in to testify:

James and Mary Elizabeth Clark, the applicants

Mr. Clark testified that he and his wife purchased this home in 2009. At that time the home was a two-family dwelling. The home, the detached garage and the yard were not in good condition. Mr. Clark believed, however, that the home still had good bones and potential. He and his wife completely renovated the inside of the home and changed it back to a one family dwelling. The footprint of the home did not change.

Mr. Clarke testified that he and his wife are now proposing a laundry area and a full bath on the first floor. Also, an attached garage is being proposed. He stated that he and his wife are trying to make this home a place where they can age in place.

Mr. Clark noted that the extensive wrap-around porch makes it hard to achieve all these proposals without seeking a variance.

Janet Siegel, the applicant, was sworn in to testify.

Ms. Siegel has appeared before the Chatham Borough Zoning Bd. of Adjustment a number of times. The Board accepted her professional credentials.

Chrmn. Cifelli confirmed with Ms. Siegel that 174 sq. ft. of building coverage is being proposed.

Ms. Siegel put the applicant's property survey on the screen. The property is 75 feet wide. Ms. Siegel testified that the proposals will actually lower the lot coverage of the property. The lot coverage will be reduced by 537 sq. ft. with the elimination of the existing garage at the rear, and the additional driveway.

Ms. Siegel reviewed the calculations of the building coverage, existing and proposed. The FAR is increasing because of the inclusion of the full addition of the garage. Ms. Siegel discussed the proposed side yards. Ms. Siegel stated a sincere effort was made, for the sake of the neighbor, on the side of the proposed attached garage, to keep the proposed roof line to a minimal size.

Chrmn. Cifelli then confirmed with Ms. Siegel that a side yard variance was being sought for the southwest side of the home (the right side). A revised denial sheet had been sent out indicating this new variance.

Putting the survey on the Zoom screen, Ms. Siegel described the applicant's early 1900s home. The existing wrap-around porch will remain. The entranceway that had been created to reach the second-floor unit has been removed by the applicant. The applicant has renovated the kitchen. Ms. Siegel pointed out a staircase that leads to an existing deck which is not in good condition. The deck will be removed. A patio will be created.

On the survey, Ms. Siegel pointed out the proposed attached garage will be 12 ft. 6 inches by 25 feet deep. These dimensions will allow for a car, with enough space for the car doors to easily open. Some storage area will be available at the back of the proposed garage for those items that the applicant currently stores under his porch.

Ms. Siegel testified that there will be an access created from the garage to the first floor of the home. A small cellar/crawl space will be constructed, independent of the garage.

Ms. Siegel explained the proposed first floor plan. The entrance to the proposed mudroom will be level to the first floor. She pointed out the location of the proposed full bathroom. An extra bonus room, with dormers, will be created as an office or rec room.

Putting the front elevation on the screen, Ms. Siegel reviewed the proposed roof-lines of the applicant's home with the proposed attached garage. The proposed attached garage will be moved towards the back of the existing home.

Ms. Siegel showed the side elevation of the home, which included the proposed garage. An existing tree that currently serves as a buffer between the applicant's home and the next door neighbor, will remain. Ms. Siegel showed and explained the rear elevation of the home.

On the Zoom screen, Ms. Siegel showed an existing perspective of the home with the proposed garage sketched in. This was submitted as Exhibit A-1.

Ms. Siegel submitted Exhibit A-2, an google aerial photo showing the applicant's home and immediate neighborhood. Ms. Siegel pointed out that the applicant's property and the

neighboring property next door, to the right, both have 75-foot widths. Because of these widths and their existing driveway situations, the applicant's proposed garage will still provide a good amount of space between the two properties. Ms. Siegel also submitted Exhibit A-3, a zoning map of the applicant's neighborhood.

Ms. Siegel submitted Exhibit A-4, photos of the existing homes in the neighborhood, on both sides of the street. She briefly reviewed the style of each home and each of their garage/driveway arrangements. Summing up, Ms. Siegel testified that there are six single garages and six two car garages. There are five neighboring properties that have no garage at all.

Ms. Siegel noted that these proposals of the new garage and the much need mudroom will successfully update the home.

Ms. Siegel summarized the application. She pointed out that the applicant's rear yard will now be brought into conformity. Ms. Siegel testified that the proposed improvements are reasonable in line and scale, and will fit in with the neighborhood. The proposals will not impede with the redevelopment goals of the Borough's Master Plan.

Chrmn. Cifelli asked about the light and air situation with the proposed bulk.

Ms. Siegel pointed out that the existing garage in the rear will be removed, thereby creating more air and open space.

Chrmn. Cifelli brought up the existing wrap around porch, which will remain. Will it count towards building coverage?

Ms. Siegel answered yes.

Chrmn. Cifelli confirmed with Ms. Siegel that the Master Plan favors that type of porch.

Chrmn. Cifelli asked Attorney Dwyer if a variance was needed to tear down an existing garage and then attach it to the house.

Attorney Dwyer answered no. He did not believe that would be considered new construction.

Mr. Herbert asked Ms. Siegel how this application will benefit the community as a whole, and not just the applicant.

Ms. Siegel explained that the applicant has tried hard to bring an older home up to modern standards, thereby avoiding a tear-down. That would be a benefit to the community. The proposed mudroom and first floor bathroom would benefit any age group of owners in the future.

Mr. Infante felt that the proposed reduction of lot coverage would also be a benefit to the community. Ms. Siegel agreed, stating that the overall net reduction would be 537 sq. ft. As a result, more pervious surface will be created on the site.

Ms. Siegel noted that the applicant's property has very good soil and good drainage. There is no sump pump in the basement.

Mr. Herbert asked Chrmn. Cifelli and Attorney Dwyer why the Master Plan encourages detached garages rather than attached garages.

Chrmn. Cifelli felt the reason for the preference for detached garages was because it would limit the appearance of bulk. Also, like a front porch, a detached garage gives a pleasant old-fashion appeal to a home. Attorney Dwyer agreed with Chrmn. Cifelli's comments, stating that detached garages were a good planning decision that was made.

Mr. Herbert confirmed with Chrmn. Cifelli that in this application, the attached garage was more of a design issue.

Mr. Haeringer and Ms. Siegel discussed the roofline in relationship to the proposed garage.

Ms. Siegel explained that a non-conformity will be eliminated by the removal of an existing deck.

Chrmn. Cifelli asked if the public had any questions for the witnesses.

The public had no questions.

The public had no comments on the application.

The Board had no more questions for Ms. Siegel or the applicants.

Ms. Siegel submitted the application to the Board for a vote.

Chrmn. Cifelli asked for comments from the Board. Mr. Herbert was uncertain about this application. He pointed out that the Master Plan strongly encourages detached garages. Once the proposed attached garage is constructed, it stays there. Mr. Tobia said he understood Mr. Herbert's concerns; however, he will vote in favor of the application. Mr. Hoffman was glad that the applicant was bringing an older, grander home up to modern standards. He felt the attached garage was not as much of an issue, because it will be recessed and not flush with the front of the house. More green space will be created on the property. Mr. Infante noted that there are no light, air, open space issues with this application. The lot coverage will be reduced; however, no one has complained about water run-off. He felt the benefits outweigh the detriments with this application. Mr. Haeringer believed the keeping the front porch would be beneficial to the community. Mr. Montague believed the architect and applicant did a good job with these plans. Mr. Treloar acknowledged Mr. Herbert's points about the proposed garage and the Master Plans views on garages. However, Mr. Treloar pointed out that this attached garage will be recessed. Also, additional green space will result. Chrmn. Cifelli brought up the bulk issue. He pointed out that the roof line of the proposed garage will be less than the main building. The light, air, and open space will not be impacted.

Mr. Haeringer made a motion to approve Application # ZB 21-002: Clark: 33-35 Hillside Avenue. Mr. Montague seconded the motion. A roll call vote was taken:

Mr. Hoffman	-	yes
Mr. Tobia	-	yes
Chrmn. Cifelli	-	yes
Mr. Haeringer	-	yes
Mr. Montague	-	yes
Mr. Infante	-	yes
Mr. Herbert	-	no

Application # ZB 21-002 was approved.

At 8:34 p.m. the meeting adjourned.

The next Chatham Borough Zoning Board of Adjustment meeting will be held on Wednesday, May 28, 2021, 7:30 p.m. It will be a virtual meeting.

Respectfully submitted:

Elizabeth Holler  
Recording Secretary